

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**No. 14-cr-0931 MCA  
16-cv-1067 MCA/SMV**

**MATTHEW J. HOLMES,**

**Defendant.**


**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PF&RD"), filed October 26, 2017. [CR Doc. 80; CV Doc. 11]. On reference by the undersigned, the Honorable Stephan M. Vidmar, United States Magistrate Judge, recommended denying Defendant Matthew J. Holmes's Motion to Vacate, Set Aside, or Correct Sentence [CR Doc. 69; CV Doc. 1]. No party has filed objections to the PF&RD, and the time for doing so has passed.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Magistrate Judge's Proposed Findings and Recommended Disposition [CR Doc. 80; CV Doc. 11] are **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant Matthew J. Holmes's Motion to Vacate, Set Aside, or Correct Sentence [CR Doc. 69; CV Doc. 1] is **DENIED**. Case number 16-cv-1067 MCA/SMV is **DISMISSED with prejudice**.

**IT IS SO ORDERED.**

  
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**M. CHRISTINA ARMIÑO**  
**Chief United States District Judge**